IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15696 of 2007

DATED: 24.7.2007

Between:

Smt Mumtaz Fatima — petitioner

And

Moulana Azad National Urdu University
Gachibowli, Hyderabad
Rep by its Vice Chancellor & another — Respondents

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 15696 of 2007

ORAL ORDER:

This writ petition is filed questioning the notification No.21 dated 18.7.2007 calling for applications for the post of lecturer as illegal and arbitrary.

Pursuant to notification No.2 issued in the month of January, 2005 the petitioner was appointed as Junior Research Fellow (for short JRF) and joined the duty on 22.3.2005. Thereafter, the respondent university issued a notification dated 28.1.2005 for the post of Lecturer and petitioner applied for the same and appointed as lecturer on contract basis from 16.1.2006 to 31.3.2007 vide orders dated 16.1.2006 and joined the duty. The contract period of the petitioner is extended from 1.4.2007 to 31.7.2007. While so, the impugned notification dated 18.7.2007 was issued calling for applications for the post of Lecturer. The grievance of the petitioner is that she possesses all the required qualifications for the post of Lecturer and working as such without any complaint, and entitled to appointment to the post of Lecturer. Hence, the writ petition.

The appointment order dated 18.1.2006 clearly prescribes that the appointment of the petitioner is on contractual basis, and that it will neither confer any right on the petitioner to hold the same in substantive capacity nor will it confer any right on her to claim

permanent absorption. On the same terms and conditions, the services of the petitioner were extended, vide orders dated 18.7.2007. The petitioner being a contract employee, has no right to question the notification issued by the respondents. It is prerogative of the employer to select a candidate from among the eligible candidates, and in the absence of infringement of any right, the recruitment process cannot be interfered. If the petitioner is possessing the requisite qualifications as required by the notification, she is also entitled to apply.

At this stage, learned counsel for petitioner submitted that petitioner wants to submit a representation to the respondents to consider her case on permanent basis. If such is the case, it is open for the petitioner to make a representation to the respondent No.1 and in the event of submitting any such representation, the first respondent is at liberty to consider and dispose of the same in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATED: 24.7.2007
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48

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